

31042-13 JVD 308849/ Group Art Unit 364

REMARKS

Reconsideration of the present application is respectfully requested.

Applicants thank the Examiner for the indication in the Office Action that claims 1, 3, 4, 15, 16 and 19-22 are allowed, and that claims 17, 18 and 23 contain allowable subject matter. Applicants have amended claims 5 and 17. Discussion of these amendments follow.

With regards to claim 23, Applicants have written claim 23 into independent form. Further, Applicants have added new dependent claims 28-30 which depend upon claim 23.

The rejections under 35 U.S.C. § 112.

Claims 17 and 18 were rejected under 35 U.S.C. § 112, third paragraph, as being indefinite.

With regards to paragraph 3 of the Office Action, Applicants have amended claim 17 to remove the erroneous reference to a bolt for loading a paintball. With this amendment, claim 17 is clarified, and Applicants respectfully request withdrawal of the rejection of claim 17.

With regards to paragraph 4 of the Office Action, Applicants have cancelled claim 18 but added new claim 27. Applicants believe that claim 27 is clear with regards to having a low pressure regulator and a high pressure regulator. Applicants respectfully request withdrawal of the rejection of claim 18 and allowance of new claim 27.

AMENDMENT AND RESPONSE
Serial No. 09/630,109
Attorney Docket No. 31042-13
Page 9 of 11

31042-13.JVD.308849/ Group An Unit 3643

The rejections under 35 U.S.C. § 102.

Claims 5-7 were rejected under 35 U.S.C. as being anticipated by U.S. Patent No. 5,462,042 to Greenwell. Claims 5, 6 and 8 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,349,711 to Perry.

With regards to paragraph 6 of the Office Action, Applicants have amended claim 5 to include the elements of claim 8. Since Greenwell does not include all elements of claim 5, Greenwell cannot be said to anticipate claim 5 and Applicants respectfully request withdrawal of the rejection of claim 5 and all claims dependent thereon.

With regards to paragraph 7 of the Office Action, Applicants have amended claim 5 to include the elements of claim 7. Since Perry does not include all elements of claim 5, Perry cannot be said to anticipate claim 5 and Applicants respectfully request withdrawal of the rejection of claim 5 and all claims dependent thereon.

AMENDMENT AND RESPONSE
Serial No. 09/630,109
Attorney Docket No. 31042-13
Page 10 of 11

31042-13JVD.308849/ Group Art Unit 3643

CLOSING

Applicants have cancelled claims 6-8 and 18, amended claims 5 and 17, rewritten claim 23, and added new claims 24-30. Applicants respectfully request reconsideration of pending claims 1, 3-5, 15-17, and 19-30. The undersigned welcomes telephonic interview with the Examiner, if the Examiner believes that such an interview would facilitate resolution of any outstanding issues.

Respectfully submitted

By: 

John V. Daniluck

Reg. No. 40,581

Woodard, Emhardt, Moriarty, McNett & Henry LLP

Bank One Center/Tower

111 Monument Circle, Suite 3700

Indianapolis, Indiana 46204-5137

(317) 634-3456 - telephone

(317) 637-7561 - facsimile

AMENDMENT AND RESPONSE

Serial No. 09/630,109

Attorney Docket No. 31042-13

Page 11 of 11